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ORDINANCE NO. 46-423

AN ORDINANCE AMENDING SECTION 16.14.040 OF THE CODE OF THE CITY OF WICHITA, KANSAS, RELATING TO THE SCHEDULE OF RATES FOR USERS OF THE SANITARY SEWER SYSTEM, AND REPEALING THE ORIGINAL OF SAID SECTION.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. Section 16.14.040 of the Code of the City of Wichita is amended to read as follows:

"Schedule of Use Charges. Each user of the sewerage system of the City shall pay, for the use of such system, sewer charges, at no less than monthly intervals, based where possible upon the consumption of water by such user as recorded by the water meter or sewer meter serving the premises according to the classifications and schedule set forth in this Section.

Where any commercial or industrial premises are connected with the City's sewerage system but are not served by the City's water utility system, the owner or occupant of such premises shall, at their own expense, install and maintain on such premises a water meter or meters of a type and at a location acceptable to the Director of Water and Sewer of the City, which meter shall measure all water received on said premises from all sources and the sewer services charge of said premises as prescribed in this section shall be based upon such meter recording. The City shall install equipment to automate the reading of said meters. The City shall charge a one time installation fee based upon meter size for the purpose of administrative and replacement costs. A sewage meter, as set forth in the following sub-section of this section, may be substituted for the water meter requirement.

SEWER SERVICE VOLUME BASE:

If a commercial or industrial user desires to establish eligibility for a sewer service volume base of less than one hundred percent (100%) of water consumption, said user must submit an application in writing to the Water and Sewer Utility. Upon approval the customer shall authorize the City to install the following at the Customer's expense:

(a) A sewage meter acceptable to the Director of Water and Sewer to measure the volume of liquid actually discharged into the sewerage system from their premises. The City may install devices to automate the reading process. The City will be responsible for calibration and maintenance to ensure the accuracy of the measurements. Selected meters shall be capable of measuring flows with a maximum deviation of less than ten percent from true discharge rates throughout the range of expected discharges. The City shall arrange for certified calibrations of the flow measurement devices at least once a year. Calibration records shall be maintained by the City for a period of five years. No meter shall be installed on wastewater discharged until approval has been obtained from the Director of Water and Sewer Department or his duly authorized representative. Tampering with, injuring or removing meters, without written permission from the Director of the Department of Water and Sewer or his duly authorized representative is prohibited. In the

event a sewage meter is installed, the rate schedule, as set forth in this chapter, shall be applied to

(1) The volume of sewage entering the sanitary sewer as measured by the meter.

(2) In the event of a meter malfunction, the City shall be responsible for repairs.

(b) In lieu of sewage meter(s), the user may request installation of auxiliary water meter(s) to measure that portion of water consumed, which is diverted from entering the sanitary sewer. In the event an auxiliary water meter is installed, the volume of water metered by such meter(s) shall be deducted from the total volume of water consumed before the sewer service charge rate schedule is applied. The City may install meters and charge the customer for the meter, installation fees and a monthly fee based on the size of the meter.

No credits for sewer use shall be given until the type and location of meters installed has been approved by the Director of Water and Sewer or his duly authorized representative.

Sewer volume credits established in accordance with the provisions of this Section for commercial and industrial users shall be prospective only.

EXTRA STRENGTH CHARGE:

Sewage discharged to the sanitary sewer system from each industrial or commercial user shall be subject to an extra strength charge when the biochemical oxygen demand (BOD) concentration exceeds two hundred fifty milligrams per liter, the suspended solids (SS) exceeds a concentration of three hundred milligrams per liter, or the oil and grease concentration exceeds one hundred milligrams per liter, as determined by Environmental Protection Agency Methodology stipulated in 40 CFR Part 136 analysis procedures. Sample collection methodology will be as specified by the Director of Water & Sewer. Extra strength charges shall be calculated according to the formula:

$$S = V.(0.00832) (X(BOD-250) + Y(SS-300) + Z(O\&G-100))$$

Where:

S = Extra strength charge in dollars

V. = Sewage volume in thousands of gallons

0.00832 = Conversion factor for thousands of gallons to million pounds

X = Applicable unit charge for BOD in dollars per pound from the schedule below

BOD = BOD strength index in parts per million by weight or mg/l

250 = Allowable BOD strength under normal volume charges in parts per million by weight or mg/l

Y = Applicable unit charge for suspended solids in dollars per pound from the schedule below

SS = Suspended solids strength index in parts per million by weight or mg/l

300 = Allowable suspended solids strength under normal volume charges in parts per million by weight or mg/l

Z = Applicable unit charge for oil and grease in dollars per pound from the schedule below

O&G = Oil and grease index in parts per million by weight or mg/l

100 = Allowable oil and grease under normal volume charges in parts per million by weight or mg/l

EXTRA STRENGTH UNIT CHARGES ESTABLISHED AS SHOWN IN SCHEDULE BELOW:

Inside City	Charge Per Pound
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	<u>2005 & Beyond</u>
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BOD	\$0.0994
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Suspended Solids	0.0663
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Grease	1.2913
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Outside City	
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BOD	\$0.1581
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Suspended Solids	0.1053
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Grease	2.0532
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TOXIC POLLUTANT CHARGE:

Discharging of any toxic pollutants is prohibited under City Code Section 17.20.060. If any such waters or wastes enter into the municipal sewer system, which cause an increase in the cost of managing the effluent or the sludge from the City's treatment plants and/or collection system, the discharger shall pay for the increased costs, and will be subject to the penalties ascribed in Chapter 17.20.

WASTEWATER ANALYSIS:

Samples and measurements will be taken by the City, as required by the Director of Water and Sewer, or their authorized representative. The strength of the sewage discharge by the industrial or commercial user, will be determined by the analyses of said samples.

The user, at its expense, may be required at the sole discretion of the Director of Water and Sewer to provide monitoring and flow measurement facilities which coincide at the point at which effluent limits apply. Sampling locations must be safe, convenient, and accessible to the industrial user and Water & Sewer Department personnel.

If any industrial or commercial user chooses not to accept the analytical determination made by the City for a billing period, such user shall, prior to the date on which payment of the charges for such billing is due, notify the Director of Water and Sewer in writing and, at their sole expense, employ an independent laboratory which is certified by the Kansas Department of Health and Environment and acceptable to the Director of Water and Sewer, to conduct sampling and analysis of their sewage.

The time period, location and method for the collection of the samples shall be designated by the City. The City and the independent laboratory shall both preside over the collection of the samples and shall equally divide the samples so that duplicate analysis may be performed.

If results of the analysis of the sewage sample made by both the City and the independent laboratory are not comparable, the Director of Water and Sewer may appoint a second independent laboratory certified

by the Kansas Department of Health and Environment to analyze the sewage. The sampling procedures used will be the same as those outlined above. The results of these analyses, together with the previous results, shall be used to determine the actual extra strength charges for the subject billing period. The fee for the second independent laboratory analyses shall be paid for by the user.

MONITORING CHARGE:

When regulations, either Federal, State or City, require monitoring of the waste from an industry, that industry shall pay a monitoring charge.

The monitoring charge shall consist of all costs for personnel, material and equipment used to collect and analyze samples from the user's wastewater. The exact charge shall be based on actual costs and shall be determined by the Director of Water and Sewer.

REVIEW OF USER CHARGE RATE STRUCTURE:

The user charge rate schedule of the City shall be reviewed and adjusted at least biennially to:

(a) Maintain the proportional distribution of operation, maintenance and replacement costs among user classes.

(b) Provide adequate revenues to cover operation, maintenance and replacement and debt service costs.

SEWER RATES AND CHARGES

On and after January 1, 2005, the schedule of rates and charges as set forth below shall apply to all categories of sewer customers.

Inside City Rates

A. Base Service Charges
Monthly charges based on water meter size

<u>Size</u>	<u>Charges</u>	<u>2005 & Beyond</u>
5/8 inch		\$ 3.14
3/4 inch		3.43
1 inch		4.35
1 1/2 inch		5.64
2 inch		9.06
3 inch		34.37
4 inch		43.72
6 inch		65.61
8 inch		90.59
10 inch		106.21
12 inch		140.58

B. Volume Charges (per 1,000 gallons of metered water consumption)

<u>Rate/thousand gallons</u>
<u>2005 & Beyond</u>
\$1.51

Outside City Rate

A. Base Service Charges
Monthly charges based on water meter size

Charges <u>Size</u>	<u>2005 & Beyond</u>
5/8 inch	\$4.99
3/4 inch	5.46
1 inch	6.92
1 1/2 inch	8.96
2 inch	14.40
3 inch	54.64
4 inch	69.51
6 inch	104.31
8 inch	144.03
10 inch	168.88
12 inch	223.52

B. Volume Charges(per 1,000 gallons of metered water consumption)

Rate/thousand gallons <u>2005 & Beyond</u>
\$2.40

C. Flat Rate Charges

Inside City

Monthly rates as at set forth below shall apply to all customers without water or sewer meters.	\$13.66
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Outside City

Monthly rates as at set forth below shall apply to all customers without water or sewer meters.	\$21.72
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D. WHOLESALE RATES

Monthly, per 1,000 gallons	\$1.10
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All users subject to sewer charges shall be subject to the provisions of this chapter.

GOVERNMENT MILITARY FACILITIES LOCATED OUTSIDE THE CITY: Government military facilities located outside the city of Wichita shall be charged inside city rates for sewer service.

SECTION 2. The original of Section 16.14.040 is hereby repealed.

SECTION 3. This ordinance shall take effect and be in force on and after January 1, 2005, and upon publication once in the official City paper.

ADOPTED at Wichita, Kansas, this 21st day December 21, 2004.

Carlos Mayans, Mayor
City of Wichita

ATTEST:

Karen Sublett
City Clerk

Approved as to Form:

Gary E. Rebenstorf,
Director of Law